

1122(a)(2)(C)(i) of title 31, United States Code, as amended by subsection (a), are presented at a similar level of detail across agencies and are not duplicative or overlapping; and

(4) may, based on an analysis of the costs of implementation, and after submitting to Congress a notification of the action by the Director—

(A) exempt from the requirements under section 1122(a) of title 31, United States Code, an agency that—

(i) is not listed in section 901(b) of title 31, United States Code; and

(ii) for the fiscal year during which the exemption is made, has budget authority (as defined in section 3 of the Congressional Budget Act of 1974 (2 U.S.C. 622)) of not more than \$10,000,000; and

(B) extend the implementation deadline under subsection (b) by not more than 1 year.

(b) IMPLEMENTATION.—This Act, and the amendments made by this Act, shall be implemented not later than June 30, 2019.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. WALBERG), the prime author of this bill.

Mr. WALBERG. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 598, the Taxpayers Right-To-Know Act. This bill is a bipartisan and bicameral effort to provide more information about Federal programs and their activities online.

I want to thank my colleague JIM COOPER for all his work in pushing this legislation forward.

The American people deserve to know what their government does with their hard-earned dollars, don't you think? H.R. 598 will make it easier to evaluate Federal Government spending by requiring Federal agencies to identify their programs and provide basic information like what their programs do, how they perform, and how much they cost. Agencies must do a better job of managing their programs and identifying areas where taxpayer dollars are wasted.

The Government Accountability Office is tasked with reporting on duplication and continues to find new areas of duplication across government. Over

5 years, GAO has identified 106 areas of duplication, overlap, and fragmentation; moreover, they identified an additional 72 areas for potential cost savings. While only 37 percent of recommended corrective actions have been taken, GAO estimates that these actions have saved the Federal Government and the taxpayer about \$20 billion.

While GAO's work has been invaluable, their ability to look comprehensively at the Federal Government is inherently limited because of the poor reporting by agencies about their activity. Quite simply, without better data, billions more will be lost and wasted.

Current law, specifically, the Government Performance and Results Modernization Act, requires agencies to report all their programs, their funding, and their performance information to the Office of Management and Budget. However, OMB's current inventory is incomplete and provides inconsistent information. This makes it more difficult and time consuming to identify areas of waste and inefficiency.

H.R. 598 establishes an across-the-board definition of "program" and requires the publication of detailed information on each Federal program. This change will allow American taxpayers and Federal watchdogs to better evaluate the effectiveness and utility of government programs.

The Taxpayers Right-To-Know Act is an important and necessary step forward for the government in providing programs that are accountable, effective, and efficient.

Mr. Speaker, I want to thank Senator LANKFORD for his work on the Senate companion bill.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Taxpayers Right-to-Know Act builds upon two existing laws that came through our committee: the Government Performance and Results Modernization Act of 2010 and the DATA Act, which was signed into law in 2014.

The Obama administration launched the performance.gov Web site to implement the GPRA Modernization Act, and this bill would enhance the information available through that Web site.

The bill would require the Office of Management and Budget to make available on a central Web site an inventory of all Federal agency programs that have a budget authority of more than \$1 million.

The bill also would require OMB to include on this Web site links to any evaluation, assessment, or program performance reviews by an agency, an inspector general, or the Government Accountability Office released during the preceding 5 years.

The Taxpayers Right-to-Know Act would require agencies to disclose how much agency staff are administering

each covered program, as well as other individuals whose salary is paid by the government through a contract, grant, or other agreement.

The Office of Management and Budget raised serious concerns about its ability to implement the requirements of the bill as it was reported by the committee. I want to thank the chairman for making changes to help address those concerns in the amended version of the bill before us today. It is important that we continue to work together to ensure the bill will work as intended.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, this is a good bipartisan, bicameral bill.

Again, I thank the good work of our colleague Mr. WALBERG in helping to champion this through, the good work on both sides of the aisle in a bipartisan, bicameral way. I urge its passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 598, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2016

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1069) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1069

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2016".

SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

“(h) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION REPORTING REQUIREMENT.—

“(1) REPORTING REQUIREMENT.—Not later than 15 days after the end of a calendar quarter and until the end of the requirement period described in paragraph (2), each Presidential library fundraising organization shall submit to the Archivist information for that quarter in an electronic searchable and sortable format with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

“(2) DURATION OF REPORTING REQUIREMENT.—The requirement to submit information under paragraph (1) shall continue until the later of the following occurs:

“(A) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the Presidential archival depository for the President for whom the Presidential library fundraising organization was established.

“(B) The President whose archives are contained in the deposit no longer holds the Office of President.

“(3) INFORMATION REQUIRED TO BE PUBLISHED.—The Archivist shall publish on the website of the National Archives and Records Administration, within 30 days after each quarterly filing, any information that is submitted under paragraph (1), without a fee or other access charge in a downloadable database.

“(4) SUBMISSION OF FALSE MATERIAL INFORMATION PROHIBITED.—

“(A) INDIVIDUAL.—

“(i) PROHIBITION.—It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(B) ORGANIZATION.—

“(i) PROHIBITION.—It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

“(ii) PENALTY.—The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of clause (i) in the same manner as a violation described in such section.

“(5) PROHIBITION ON CONTRIBUTION.—

“(A) IN GENERAL.—It shall be unlawful for a person to knowingly and willfully—

“(i) make a contribution described in paragraph (1) in the name of another person;

“(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

“(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

“(B) PENALTY.—The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

“(6) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations for the purpose of carrying out this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) INFORMATION.—The term ‘information’ means the following:

“(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

“(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

“(iii) If the source of such a contribution is an individual, the occupation of the individual.

“(iv) The date of each such contribution.

“(B) PRESIDENTIAL LIBRARY FUNDRAISING ORGANIZATION.—The term ‘Presidential library fundraising organization’ means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

“(i) a Presidential archival depository; or

“(ii) any facilities relating to a Presidential archival depository.”

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on, or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. DUNCAN), the gentleman who has championed this issue as the prime sponsor.

Mr. DUNCAN of Tennessee. Mr. Speaker, I thank Chairman CHAFFETZ for his support and for yielding me this time.

This is a bill that has passed in three separate Congresses with overwhelming bipartisan support and very, very little opposition. In fact, in this Congress, it is cosponsored by Ranking Member ELIJAH CUMMINGS. In past Congresses, it has been cosponsored by Ranking Member Edolphus Towns; and in one Congress, Chairman Waxman became the primary sponsor. So it is a very bipartisan bill.

It is a very simple bill, one that I think can be supported by anyone who is opposed to secrecy in government and believes in an open, transparent system. The Presidential Library Donation Reform Act simply requires that donations to a President's library greater than \$200 be disclosed to the public and posted online.

It is very surprising to people that there are no laws governing these donations at this time. In fact, any person, corporation, or foreign government can donate any amount, unreported, while a President is still in office.

I first introduced this bill in the 106th Congress after reading a front-

page story in The Washington Times reporting that foreign governments from the Middle East were making very large donations to the proposed library for President Clinton. I was concerned about the influence of donations being made by foreign governments. However, I hasten to say this is not directed toward former President Clinton or anyone else. This bill has been introduced and passed, and I have sponsored this bill under both Republican and Democratic Presidents.

I did read at one point that after I introduced this bill that President Clinton's library had received a \$450,000 contribution from the ex-wife of Marc Rich, who had fled the country to evade \$40 million in taxes. So these types of things have certainly raised concern.

In 2013, the Sunlight Foundation's policy director endorsed my bill during a hearing on Federal Government transparency in the House Oversight and Government Reform Committee, saying: “It would provide valuable information on special interests whose donations put them in close proximity with Presidents.”

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Presidential libraries were once modest structures, but they have grown rapidly over the years into megamuseums devoted to a President's life and legacy. President George W. Bush's library topped \$500 million in costs. That is seven times the cost of his father's library. A recent report in The New York Times noted that President Obama's library could end up costing \$1 billion.

As costs soar, clearly there is potential for abuse, no matter who is President. This is, as I said, not a partisan issue. It is not directed at any President. It is simply a good government bill that I think almost everyone can support, and certainly they have in the past.

I urge support for this legislation.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I support this bill, Mr. Speaker.

I want to thank Representative DUNCAN and Ranking Member CUMMINGS for sponsoring this legislation. Representative DUNCAN first sponsored a bill to improve Presidential libraries 16 years ago. What has happened that we can't get this bill through the Congress? I hope this bill this year will prove different. This Congress, I hope we can finally get this important reform on the President's desk where I am sure it will be signed.

The Presidential Library Donation Reform Act would provide transparency to the process for building Presidential libraries. The practice of creating a Presidential library began decades ago with President Franklin Delano Roosevelt. The tradition has carried on through every President since that time, and it is going to continue.

Presidential libraries have become increasingly more expensive as they

have evolved into multipurpose centers that do more than simply house Presidential records. For example, the William J. Clinton Library cost an estimated \$165 million, while the George W. Bush Presidential Center cost an estimated \$250 million to build, with President Bush having raised approximately half a billion dollars for his library, museum, and institute. We can expect that with each new President, these libraries are going to cost more. That is just natural.

Under current law, there is no requirement to disclose the identities of those who donate to a Presidential library, and a President is able to secure an unlimited amount of private donations while still in office.

The bill before us would make a simple but very important change in existing law. Under this bill, organizations that raise money to build Presidential libraries would be required to disclose the identity of any individual who donates more than \$200. It seems reasonable to me, Mr. Speaker. The National Archives and Records Administration would then be required to post the donation information in a manner that is free to access and downloadable.

Additionally, this legislation would create criminal penalties for individuals who report false information on donations and for fundraising organizations that omit donation information.

A group of 15 good government organizations, including Citizens for Responsibility and Ethics in Washington and the Sunlight Foundation, sent a letter urging the House to support this bill. Here is what they wrote:

“Under the current opaque system, Presidents raise funds privately to establish their Presidential libraries. These efforts, which often begin long before they leave office, are unregulated and undisclosed, creating opportunities for, or the appearance of, influence-peddling. Improved transparency would help reduce the appearance of impropriety and help deter inappropriate behavior.”

The appearance is just as important as the behavior itself, I emphasize, Mr. Speaker.

This bill was approved without opposition by the Committee on Oversight and Government Reform in March and has passed the House several times before.

As I noted, companion legislation sponsored by Senators CORKER and JOHNSON was approved by the Homeland Security and Governmental Affairs Committee earlier this year.

It looks like this bill may become law after all, Mr. DUNCAN.

I urge every Member of this body to support transparency by voting for this important legislation.

I yield back the balance of my time. Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I urge its passage. It is high time that this passed. It is bipartisan, it is bicameral, and it is done with some good leadership from Mr. DUNCAN. I urge its adoption.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1069, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FOIA OVERSIGHT AND IMPLEMENTATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 653) to amend section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), to provide for greater public access to information, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FOIA Oversight and Implementation Act of 2015” or the “FOIA Act”.

SEC. 2. FREEDOM OF INFORMATION ACT AMENDMENTS.

(a) ELECTRONIC ACCESSIBILITY.—Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking “for public inspection and copying” each place it appears and inserting “in an electronic, publicly accessible format”;

(ii) by striking “; and” and inserting a semicolon;

(iii) by striking subparagraph (E) and inserting the following new subparagraphs:

“(E) copies of all releasable records, regardless of form or format, that have been requested three or more times under paragraph (3); and

“(F) a general index of the records referred to under subparagraphs (D) and (E);”;

(iv) in the matter following subparagraph (F) (as added by clause (iii) of this subparagraph)—

(I) by striking “subparagraph (D)” and inserting “subparagraphs (D) and (E)”;

(II) by striking “subparagraph (E)” and inserting “subparagraph (F)”;

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) by striking “that will take longer than ten days to process”; and

(II) by striking “; and” and inserting a semicolon;

(ii) in subparagraph (B)—

(I) by inserting “automated” after “provides”; and

(II) by striking the period at the end of clause (ii) and inserting “; and”;

(iii) by adding at the end the following new subparagraph:

“(C) provide a name, phone number, and email address for an agency employee who can provide current information about the status of each request received.”;

(2) in subsection (g), by striking “make publicly available upon request” and inserting “make available in an electronic, publicly accessible format”; and

(3) by adding at the end the following new subsection:

“(m) ELECTRONIC SUBMISSION OF REQUESTS.—

“(1) CONSOLIDATED ONLINE REQUEST PORTAL.—The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

“(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.

“(3) EMAIL REQUEST REQUIRED.—At a minimum, each agency shall accept requests for records under subsection (a) through an email address and shall publish such email address on the website of the agency.”.

(b) PRESUMPTION OF OPENNESS.—

(1) AMENDMENTS.—Section 552(b) of title 5, United States Code, is amended—

(A) in paragraph (5), by inserting after “with the agency” the following: “, excluding—

“(A) opinions that are controlling interpretations of law;

“(B) final reports or memoranda created by an entity other than the agency, including other Governmental entities, at the request of the agency and used to make a final policy decision;

“(C) guidance documents used by the agency to respond to the public; and

“(D) records or information created 25 years or more before the date on which a request is made under subsection (a)(3);”;

(B) in paragraph (6), by striking “similar files” and inserting “personal information such as contact information or financial information”; and

(C) in the matter following paragraph (9)—

(i) by inserting before “Any reasonably segregable portion” the following: “An agency may not withhold information under this subsection unless such agency reasonably foresees that disclosure would cause specific identifiable harm to an interest protected by an exemption, or if disclosure is prohibited by law.”; and

(ii) by inserting before “If technically feasible,” the following: “For each record withheld in whole or in part under paragraph (3), the agency shall identify the statute that exempts the record from disclosure.”

(2) RULES OF CONSTRUCTION.—

(A) INTELLIGENCE SOURCES AND METHODS.—Nothing in the amendments made by this Act to section 552(b) of title 5, United States Code, shall be construed to require the disclosure of information that—

(i) is exempt under paragraph (1) of such section; or

(ii) would adversely affect intelligence sources and methods that are protected by an exemption under such section.

(B) PERSONAL PRIVACY.—For purposes of section 552(b)(6) of title 5, United States Code, as amended by this Act, the term “personal privacy” may not be construed to include the name of a Federal employee engaged in an official duty of such employee.

(3) EXEMPTION DECISION TRANSPARENCY.—Section 552(a)(6)(C)(i) of title 5, United States Code, is amended by striking the